



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,113	11/14/2003	Abraham Vasant	6666P002	2720

8791 7590 10/11/2005

BLAKELY SOKOLOFF TAYLOR & ZAFMAN
12400 WILSHIRE BOULEVARD
SEVENTH FLOOR
LOS ANGELES, CA 90025-1030

EXAMINER

ROYAL, PAUL

ART UNIT	PAPER NUMBER
----------	--------------

3611

DATE MAILED: 10/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/714,113

Applicant(s)

VASANT, ABRAHAM

Examiner

Paul Royal

Art Unit

3611

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 and 21-23 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>06/06/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on 06/06/05 has been entered.

Election/Restrictions

2. Applicant's election with traverse of Invention I in the reply filed on 06/06/05 is acknowledged. The traversal is on the ground(s) that the wheel arrangement using driver wheels on either side of the vehicle as disclosed in Species I, is needed to enable the vehicle to spin on the spot as disclosed in the non-elected Invention II. This is not found persuasive because spinning in place does not require the vehicle to include wheels arranged in a diamond configuration as recited in Invention II.

The requirement is still deemed proper and is therefore made FINAL.

Drawings

3. The drawings were received on 06/06/05. These drawings are approved as acceptable.

Information Disclosure Statement

4. The information disclosure statement filed 06/06/05 fails to comply with 37 CFR 1.98(a)(3) because it does not include a concise explanation of the relevance, as it is presently understood by the individual designated in 37 CFR 1.56(c) most knowledgeable about the content of the information, of each patent listed that is not in the English language. It has been placed in the application file, but the information

referred to but lined out therein has not been considered. The initialed information has been considered.

Response to Arguments

5. Applicant's arguments with respect to the prior art applied to the claims have been considered but are moot in view of the new ground(s) of rejection. Note, the base reference has been changed in response to applicant's amendments but the secondary references are still deemed applicable where the new base reference anticipates the amended claims.

Claim Objections

6. Claim 1 is objected to because of the following informalities: at line 5, the "a" before "third and fourth wheels" appears to be a typographical error since "a" is not consistent with "wheels". Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernie et al. (US 5,445, 233) in view of An et al. (US 6,429,849).

Fernie et al. teaches a vehicle comprising:

a frame (24) having a longitudinal axis and a lateral axis, the lateral axis intersecting the longitudinal axis at a center of gravity of the vehicle;

first and second drive wheels (32) attached to the frame along the lateral axis;

third and fourth wheels (22) attached to the frame along the longitudinal axis, the wheels arranged in a diamond shape;

first motor (36) and a second motor (38), connected to the first and second drive wheels respectively, the first motor and the second motor able to be engaged in the same and in opposite directions, see column 3, lines 30-52;

a battery (B) and to provide power to the first and second motor;

a joystick (62) to control the first and the second drive wheels.

Fernie et al. does not teach the joystick providing a twisting motion to permit the vehicle to spin about its axis.

An et al. teaches a haptic feedback joystick with twisting motion inputs corresponding to a "Z" axis to provide a joystick which employs low cost components yet provides performance that is as good as or better than more expensive devices.

Note where the "Z" axis rotation of the joystick provides a twisting motion signal, it would require only routine skill in the art to route the signals to the left or right motor in proportion to the amount the joystick is twisted in the left or right direction, thereby providing a twisting motion of the joystick which permits the vehicle to spin about its axis.

8. Claims 4-8, 10-11, 15, 16, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernie et al. and An et al., as applied to claim 1, in view of Manak (5,923,096).

Fernie et al. and An et al., as applied to claim 1, teach a recreational vehicle as claimed except a second battery and a joystick.

Manak teaches a vehicle control system including a second battery (55 or 55, see Figure 10) to provide power to signals, displays, and entertainment electronics within the REV, and a joystick (35) to control the REV, wherein the joystick is further for operator selection of vehicle speed, vehicle turn radius and vehicle turn angular velocity, whereby the REV may move in a straight line, in a turn, or spin in place; and wherein the joystick is further used to control braking (see column 1, lines 42-45);

a drive mode selector (36) to select a drive mode, the drive modes including forward and reverse;

a vehicle control computer (50) to enable the various functions on the REV, wherein the vehicle control computer comprises: an equipment profile (i.e., acceleration rate) to limit the REV functionality depending on a current condition of the REV, see column 4, lines 7-25; and

wherein the drive modes further include Park, the Park mode comprising applying a brake (53,54) to ensure that the REV remains stationary, see column 4, lines 26-33) to provide a vehicle which allows right handed or left handed driving.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the recreational vehicle of Fernie et al. and An et al., as applied to

Art Unit: 3611

claim 1, to include a second battery, a joystick, wherein the joystick is further for operator selection of vehicle speed, vehicle turn radius and vehicle turn angular velocity, whereby the REV may move in a straight line, in a turn, or spin in place; and wherein the joystick is further used to control braking, a drive mode selector, the drive modes including forward and reverse, a vehicle control computer wherein the vehicle control computer comprises: an equipment profile (i.e., acceleration rate) and wherein the drive modes further include a Park mode, the Park mode comprising applying a brake, as taught by Manak, to provide a vehicle which provides power to signals, displays, and entertainment electronics within the REV, wherein the joystick is further for operator selection of vehicle speed, vehicle turn radius and vehicle turn angular velocity, whereby the REV may move in a straight line, in a turn, or spin in place, and the vehicle allows right handed or left handed driving.

Note the operator dashboard/interface/console 30, is understood to use the batteries to provide to provide power to signals, displays, and entertainment electronics within the REV.

9. Claims 12-14 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fernie et al. and An et al., as applied to claim 1, in view of Beckert et al. (6,009,363).

Fernie et al. and An et al., as applied to claim 1, teaches a recreational vehicle as claimed except a smart card reader.

Beckert et al. teaches a vehicle including a smart card reader (42) to receive a smart card, the smart card to act as an activating key to make the REV functional, wherein the smart card stores a user profile, the user profile specifying abilities of the REV,

wherein the user profile may comprise one or more of the following: a maximum range, a maximum speed, a maximum acceleration, a maximum weight limit, to provide an easily expandable vehicle computing platform.

Note Beckert et al. teaches the data processed via the smart card (and other data storage mediums) include instructions concerning the vehicle's performance, to diagrammatic directions used by the navigation system, to video movies for in-car entertainment, see column 4, lines 26-42.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the recreational vehicle of Fernie et al. and An et al., as applied to claim 1, to include a smart card reader to receive a smart card, the smart card to act as an activating key to make the REV functional, wherein the smart card stores a user profile, the user profile specifying abilities of the REV, wherein the user profile may comprise one or more of the following: a maximum range, a maximum speed, a maximum acceleration, a maximum weight limit, as taught by Beckert et al., to provide an easily expandable vehicle computing platform.

10. Claim 17 is are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, as applied to claim 1, in view of Barrett, Jr. (3,245,493).

Fernie et al. and An et al., as applied to claim 1, teaches a recreational vehicle as claimed except wherein the vehicle computer includes automatic ride procedures.

Barrett, Jr. teaches an automatic control system (28) for a vehicle, which includes automatic ride procedures, as taught by Barrett, Jr., to enable the vehicle to ride in a self-guided mode, without requiring user input.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the recreational vehicle of Fernie et al. and An et al., as applied to claim 1, to include automatic ride procedures, as taught by Barrett, Jr., to enable the vehicle to ride in a self-guided mode, without requiring user input.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of


the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paul Royal whose telephone number is 571-272-6652. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley D. Morris can be reached on 571-272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


P. Royal
10/4/2005

Paul Royal
Examiner
Art Unit 3611

LESLEY D. MORRIS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

*Approved
for
P.V.
alligator*

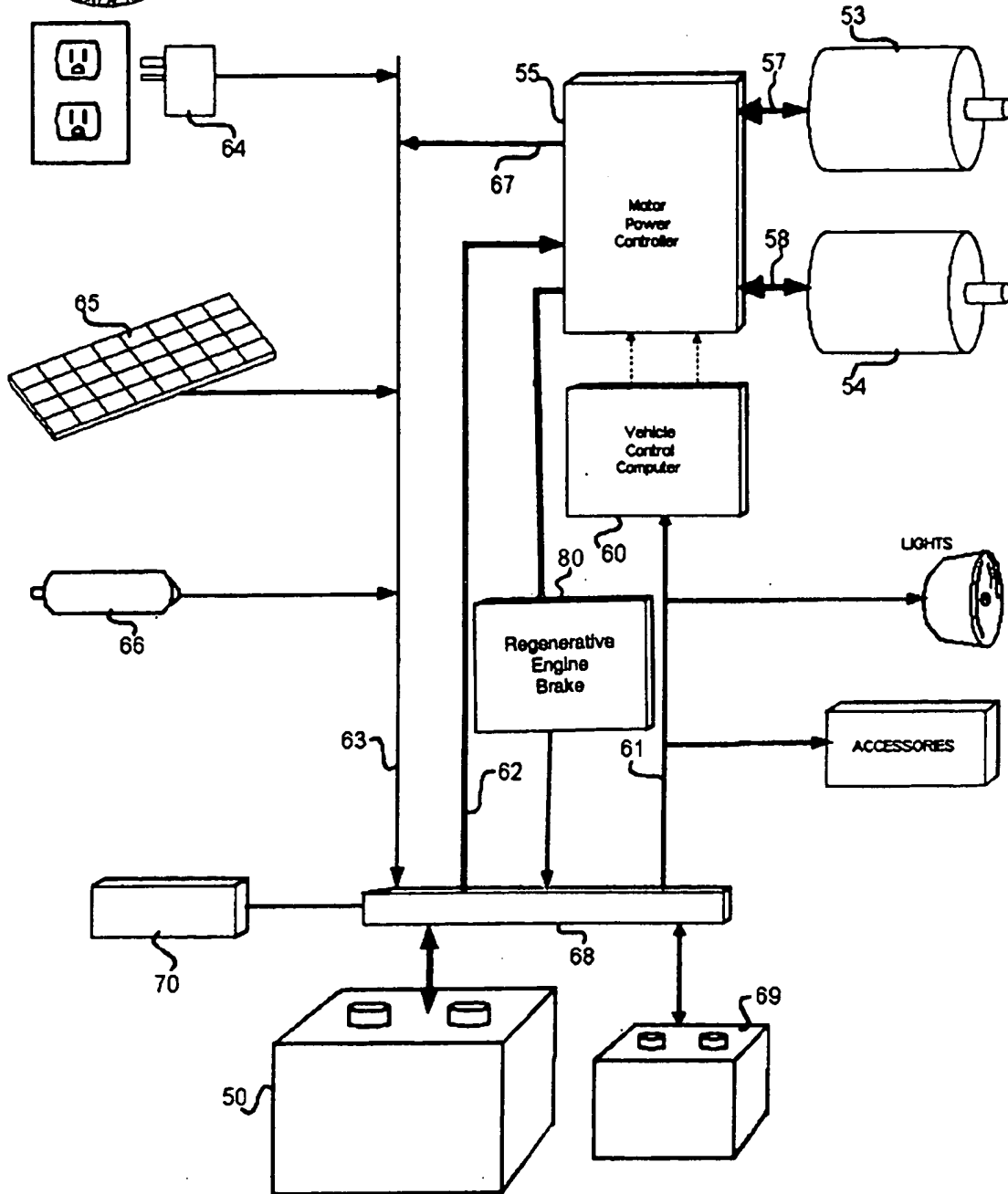


Figure 5: Electrical System